

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1, 2, 4-20, 25, 26, 29, 30, 32-51, and 56-62 are currently pending in this application. Claims 21-24, 27-28, 31, and 52-55 have been withdrawn from further consideration. Claims 1, 11, 13, 25, 26, 29, 30, 44, 56, 58, and 61, which are independent, have been amended by this response. Claim 3 has been canceled without prejudice or disclaimer of subject matter. Applicant reserves the right to pursue the withdrawn claims in one or more divisional applications.

It is submitted that these claims, as originally presented, were in full compliance with the requirements 35 U.S.C. §112. Support for this amendment is provided throughout the Specification as originally filed. No new matter has been introduced by this amendment. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. § 103(a)

Claims 1, 2, 4-12, 13-19, 32-43, and 44-50 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over WO 99/12349 to Hendricks et al. (hereinafter merely

“Hendricks”) in view of U.S. Patent No. 6,084,628 to Sawyer, et al. (Hereinafter, merely “Sawyer”)

Claims 25, 26, 29, 30 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,600,725 to Roy (hereinafter merely “Roy”) in view of Sawyer.

Claims 56-62 were rejected under 35 U.S.C. §103(a) as allegedly anticipated by Roy in view of U.S. Patent No. 5,886,735 to Bullister.

Claim 1 recites, *inter alia*:

“A communication control apparatus

wherein said control means determines the type of advertising information to be provided in accordance with an instruction from a communication apparatus, and

wherein the instruction instructs whether to transmit a signal for providing the determined type of said advertising information to said communication apparatuses and whether to enable users to select a personal type of advertising information.” (emphasis added)

As understood by Applicant, Hendricks relates to a method and apparatus for communicating multiple live video feeds over the internet. Users may be able to view a plurality of remote locations in real time. In another embodiment of the invention, users are able to remotely control a video picture of a distant location. The remote control may be either actual control of a remote video camera or perceived remote control by the manipulation of audiovisual data streams. Text, graphics, and other video information supplement one or more video pictures to provide an educational and entertaining system.

As understood by Applicant, Sawyer relates to providing targeted advertising to subscribers utilizing display screens to conduct a video telephone call.

As understood by Applicant, Roy relates to an apparatus and method that allows the operator of each user device participating in a multimedia conference to selectively receive information services during the multimedia conference. The apparatus includes a controller for receiving start-up signals from a user device, sending start-up requests to destination user devices, and receiving start-up signals from the destination user devices. The start-up signals may include information as to whether each user device requests information services to be provided during the multimedia conference. The controller establishes the multimedia conference and selectively provides the information services to the respective user devices. The information services are provided continuously or non-continuously at the preference of the user devices. The information services may also be provided in various formats at the preference of the user devices.

Applicant submits that nothing has been found in Hendricks, Sawyer, or Roy, that would teach or suggest the above-identified features of claim 1. Specifically, Hendricks, Sawyer and Roy fail to teach or suggest a communication control apparatus wherein the control means determines the type of advertising information to be provided in accordance with an instruction from a communication apparatus, and wherein the instruction instructs whether to transmit a signal for providing the determined type of said advertising information to said communication apparatuses and whether to enable users to select a personal type of advertising information., as recited in independent claim 1.

Therefore, Applicant submits that claim 1 is patentable.

For reasons similar to those described above with regard to independent claim 1, independent claims 11, 13, 25, 26, 29, 30, 44, 56, 58, and 61 which are similar in scope to claim 1, are also believed to be patentable.

III. DEPENDENT CLAIMS

The other claims are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the above-identified reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

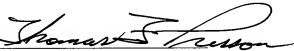
CONCLUSION

In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited references, it is respectfully requested that the Examiner specifically indicate the portion, or portions, of the reference, or references, providing the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Please charge any fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

By 
Thomas F. Presson
Reg. No. 41,442
(212) 588-0800